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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,624	12/17/2001	Michael Wayne Brown	AUS920010835US1	1192

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EXAMINER

SING, SIMON P

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,624

Applicant(s)

BROWN ET AL.

Examiner

Simon Sing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 and 35-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 and 35-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Claim 34 is missing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 16, 18 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Sbisa US 6,470,081.

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2.1 Regarding claim 1, Sbisa discloses a method for telecommunications resource connection and operation in figures 1-3. Sbisa teaches:

collecting [detecting] context information of a call (column 5, line 17; column 6, lines 43-58);

accessing a context based logging request (column 5, lines 27-33); and

storing [logging] said context information (column 6, lines 62-67).

2.2 Regarding claim 3, Sbisa teaches that CPU 205-207 are located in a service control point 120, which is outside a trusted telephone switching network (column 4, lines 53-55).

2.3 Regarding claim 16, Sbisa discloses a system for telecommunications resource connection and operation in figures 1-3, comprising:

CPU 205-207 [logging controller] communicatively connected to a telephone switching 110;

means for collecting [detecting] a context information for a call at CPU 205-207 (column 5, line 17; column 6, lines 43-58);

means for accessing a context based logging request (column 5, lines 27-33);

and

means for storing [logging] said context information (column 6, lines 62-67).

2.4 Regarding claim 18, Sbisa teaches that CPU 205-207 are located in a service control point 120, which is outside a trusted telephone switching network (column 4, lines 53-55).

2.5 Regarding claim 31, Sbisa discloses a computerized system for telecommunications resource connection and operation in figures 1-3, comprising:

a recording medium[memory of hard disk] (not shown);

means for collecting [detecting] a context information for a call (column 5, line 17; column 6, lines 43-58);

means for accessing a context based logging request (column 5, lines 27-33);

and

means for storing [logging] said context information (column 6, lines 62-67).

3. Claims 1, 2, 4-17, 19-33 and 35-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Brady US 5,982,857.

3.1 Regarding claim 1, Brady discloses voice recording method in figures 2 and 3. Brady teaches:

detecting a context, such as a customer ID (column 4, lines 23-25), an ANI or other information (column 3, lines 57-65; column 1, lines 28-31) of a call;

accessing a database to determined if the call should be recorded (column 3, lines 57-65; column 4, lines 23-25; column 6, lines 15-22);

recording the call with context (column 4, lines 64-67; column 5, lines 1-10).

3.2 Regarding claim 2, Brady teaches receiving an automatic number identification within a telephone network (column 3, lines 57-58).

3.3 Regarding claim 4, Brady teaches detecting a customer ID (column 4, lines 23-25), ANI and other information (column 3, lines 57-65; column 1, lines 28-31).

3.4 Regarding claims 5 and 6, Brady teaches detecting a customer ID (column 4, lines 23-25), an ANI or other information (column 3, lines 57-65).

3.5 Regarding claim 7, Brady teaches recording a call based on a request [application process 100] made by a called party.

3.6 Regarding claims 8 and 9, Brady teaches recording a call based on a context such as a customer ID (column 4, lines 23-25, 64-67), an ANI or other information (column 3, lines 57-65; column 6, lines 15-22).

3.7 Regarding claims 10-12, it is inherent that by law, when a party (i.e. called party) records a telephone call, he is obligated to notify the other party (calling party) about the recording.

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3.8 Regarding claim 13, it is inherent that a customer may make a call to change his/her telephone number of address [updating], and such change will be logged in the database.

3.9 Regarding claim 14, Brady teaches playing back a recorded call, including context information, such as call type, customer ID, telephone number and subject matter (column 5, lines 14-22, 1-10).

3.10 Regarding claim 15, Brady teaches using an application process 100 (column 3, lines 31-38) for filtering a plurality of context (ANI, customer ID and other information), and recording a call based only on one predetermined context, such as customer ID (column 4, lines 23-25; column 3, lines 57-65; column 1, lines 28-31).

3.11 Regarding claim 16, Brady discloses a system for voice recording according to context in figure 2, comprising:

an application process 100 [logging controller] connected to a telephone network via a telephone interface card (TIC) 62 (column 3, lines 31-46);

means for detecting a context for call at the application process 100 (column 3, lines 57-65; column 4, lines 16-25);

means for accessing a database for determining whether to record a call (column 3, lines 57-65; column 4, lines 16-25); and

means for recording the call with context information (column 4, lines 64-67; column 5, lines 1-10).

3.12 Regarding claim 17, Brady teaches that the application process 100 and a database are within a telephone network (Figure 2; column 3, lines 31-38, 57-65).

3.13 Regarding claim 19, Brady teaches means [application process 100] for detecting a plurality of contexts of a call, such as a customer ID (column 4, lines 23-25), ANI and other information (column 3, lines 57-65; column 1, lines 28-31), and means [application process 100] for identifying a predetermined context stored in a database (column 3, lines 57-65; column 4, lines 16-25; column 1, lines 28-31).

3.14 Regarding claim 20, Brady teaches that a context of a call is an authenticated customer ID (column 4, lines 16-25);

3.15 Regarding claim 21, Brady further teaches a contest clue including a telephone extension number (column 6, lines 25-32).

3.16 Regarding claim 22, Brady teaches that a recording request is issued by a called party [application process 100] based on a context (column 3, lines 31-38, 57-65).

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3.17 Regarding claim 23, Brady teaches identifying a call recording criteria, such as a customer ID (column 4, lines 23-25), ANI and other information (column 3, lines 57-65; column 1, lines 28-31).

3.18 Regarding claim 24, Brady teaches recording a call based on such as a customer ID (column 4, lines 23-25), ANI and other information (column 3, lines 57-65; column 1, lines 28-31).

3.19 Regarding claim 25-27, it is inherent that by law, when a party (i.e. called party) records a telephone call, he is obligated to notify the other party (calling party) about the recording.

3.20 Regarding claim 28, it is inherent that a customer may make a call to change his/her telephone number or address [updating], and such change will be logged in the database.

3.21 Regarding claim 29, Brady teaches playing back a recorded call, including context information, such as call type, customer ID, telephone number and subject matter (column 5, lines 14-22, 1-10).

3.22 Regarding claim 30, Brady teaches using an application process 100 (column 3, lines 31-38) for filtering a plurality of context (ANI, customer ID and other information),

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and recording a call based only on one predetermined context, such as customer ID (column 4, lines 23-25; column 3, lines 57-65; column 1, lines 28-31).

3.23 Regarding claim 31, Brady discloses a computer application process 100 in figure 2 for controlling a call recording, comprising:

a recording medium [computer board 62] (column 3, lines 31-38);

means [application process 100] for detecting a context of a call (column 3, lines 57-65; column 4, lines 16-25);

means [application process 100] for accessing a database of a predetermined context of a call (column 3, lines 57-65; column 4, lines 16-25); and

means [application process 100] for recording a call based on the predetermined context (column 3, lines 57-65; column 4, lines 16-25; column 1, lines 28-31);

3.24 Regarding claim 32, Brady teaches means [application process 100] for detecting a plurality of context of a call (column 3, lines 57-65; column 4, lines 16-25; column 1, lines 28-31), and means [application process 100] for identifying a predetermined context stored in to a database (column 3, lines 57-65; column 4, lines 16-25).

3.25 Regarding claim 33, Brady teaches means [application process 100] for recording a call based on a predetermined context (column 3, lines 57-65; column 4, lines 16-25; column 1, lines 28-31);

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3.26 Regarding claims 35-37, it is inherent that by law, when a party (i.e. called party) records a telephone call, he is obligated to notify the other party (calling party) about the recording.

3.27 Regarding claim 38, it is inherent that a customer may make a call to change his/her telephone number or address [updating], and such change will be logged in the database.

3.28 Regarding claim 39, Brady teaches playing back a recorded call, including information, such as call type, customer ID, telephone number and subject matter (column 5, lines 14-22, 1-10).

3.29 Regarding claim 40, Brady teaches means [application process 100] (column 3, lines 31-38) for filtering a plurality of context (ANI, customer ID and other information), and recording a call based only on one predetermined context, such as customer ID (column 4, lines 23-25; column 3, lines 57-65; column 1, lines 28-31).

3.30 Regarding claims 41 and 44, Brady discloses a method for controlling call receipts, comprising:

recording a call with a context entry, such as a customer name (column 4, lines 16-25, 64-67; column 5, lines 1-10) for a particular party;

playing back a recorded call, including the customer name (column 5, lines 14-22) to the particular party.

3.31 Regarding claims 42 and 45, Brady teaches using the customer name for searching a recorded telephone conversation (column 5, lines 19-24).

3.32 Regarding claims 43 and 46, Brady teaches storing the recorded call in a computer file (column 5, lines 2-10).

3.33 Regarding claim 47, Brady discloses an application process 100 [computer program product] for controlling call receipts, comprising:

a recording medium [computer board 62] (column 3, lines 31-38);

means for recording a call with a context entry, such a customer name (column 4, lines 16-25, 64-67; column 5, lines 1-10) for a particular party;

means for playing back a recorded call, including the customer name (column 5, lines 14-22) to the particular party.

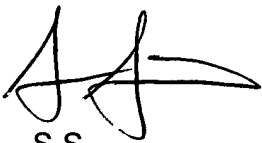
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blair et al. US 6,404,857 discloses a signal monitoring apparatus for analyzing communications.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

04/18/2003

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